

DBS regulations, to use the same foresight it did in 1952 when it recognized the need for reserved capacity and special rules to facilitate the delivery of public service programming.

### **C. Broadband Communications Services**

Fiber optic broadband networks offer public television a significant opportunity to realize the full potential of educational telecommunication services. While we again recognize that neither the OPP Paper nor the Commission's Notice treats the issue of broadband networks, the policies adopted by the Commission to facilitate the delivery of public telecommunications services via fiber optics are another critical component of public television's ability to function effectively in the new multichannel environment. The multi-channel interactive capacity promised by broadband networks promises exciting public service opportunities. Public policy must protect the promise through guaranteed access of national and local public service users to broadband networks and support for facilities and equipment.

For this reason, APTS will be filing comments, in the Commission's recently announced video dialtone proceeding,<sup>26</sup> to urge the Commission, consistent with the Commission's reservation of broadcast spectrum in 1952, to reserve capacity for public telecommunications services on broadband fiber networks and to establish preferential rates for public service use.

### **D. Advanced Television**

The Commission's on-going proceeding to establish policies and rules for the allocation of additional spectrum for advanced television broadcasts is yet another opportunity for the FCC to facilitate the delivery of public service programming.<sup>27</sup>

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<sup>26</sup> See Public Notice re action in CC Docket 87-266 (October 24, 1991).

<sup>27</sup> See *Notice of Proposed Rule Making* in, MM Docket No. 87-268, (released November 8, 1991).

The Commission has proposed a significant spectrum planning policy in its recent Notice of Proposed Rulemaking on ATV:

The Commission's spectrum planning policy has traditionally taken into account the important role noncommercial stations play and the financial constraints they face in constructing and operating stations. (citations omitted) Our technical studies lead us to believe that we can continue this tradition within an ATV allotment scheme. We propose to use the noncommercial reserve for ATV service only as a last resort.

ATV Notice at 15. APTS, PBS and the Corporation for Public Broadcasting (CPB) will comment in detail in response to the Commission's proposed policy to preserve the noncommercial vacant allotments, but note here that this is precisely the type of policy that will facilitate the growth and development of public service programming in the new technological environment.

#### E. Interactive Video Data Services (IVDS)

In another current proceeding, significant to public television's access policy, the Commission has proposed authorizing the use of spectrum (218.0 through 219.0 MHz) for an interactive video data service (IVDS).<sup>28</sup> The Commission has proposed granting licenses for two commercial IVDS channels in each market. As discussed earlier, public television with its new satellite, combined with compression and VSAT technologies, will have the capability of offering increased interactive educational services. A dedicated public service IVDS system is one means (in addition to direct satellite and fiber links) of potentially delivering those services received via satellite at the local public television stations to schools and consumers.

Accordingly, APTS and other public television and educational groups are urging the Commission, if it authorizes spectrum for IVDS services, to allocate spectrum for three channels in each market—two for competing commercial

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<sup>28</sup> See *Notice of Proposed Rule Making* in, Gen. Docket No. 91-2, FCC 91-16 (released March 4, 1991).

operators and one reserved for public service uses.<sup>29</sup> In the alternative, if the Commission concludes that only two IVDS systems are technically possible in each market, APTS is requesting that the Commission guarantee access on each commercial system for public service users at reduced rates.

#### IV. CONCLUSION

“. . . public television is one of the crown  
jewels of American broadcasting.”

- Alfred C. Sikes  
Chairman, FCC

Over the past half century, the Commission has developed a policy foundation for using telecommunications to serve the public and the public interest. When television was the dominant medium, the Commission (and the Congress) maintained a special role for public television, reserving spectrum for use in serving local communities with locally controlled services offering high quality educational programming.


As the Commission reviews the policy implications of the changing video marketplace, it has an important opportunity to maintain the special role for public television. It can adopt policies (in the variety of different proceedings now before it) that will ensure that all citizens have access to the excellent educational and informational services provided by public television. In so doing, it will enable public television to become a public service provider in the new multi-media

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<sup>29</sup> See Comments and Reply Comments of the Association of America's Public Television Stations, Organization of State Broadcasting Executives, American Council on Education, Southern Educational Resources Consortium, and South Carolina Educational Television Commission to Gen. Docket No. 91-2, (June 10, 1991).

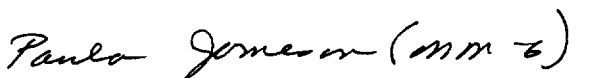
distribution environment and thereby preserve its services as the crown jewels they are.

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